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Attorneys for Bank of Montreal, as Administrative Agent

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION**

BANK OF MONTREAL, as Administrative  
 Agent,

Plaintiff

v.

SK FOODS, LLC

Defendant.

v.

SK PM CORP. and FREDERICK SCOTT  
 SALYER, as Trustee for the Scott Salyer  
 Revocable Trust, as well as FREDERICK  
 SCOTT SALYER, in his Individual Capacity

Respondents.

Case No. 11-CV-80133 MISC-EJD (HRL)

DECLARATION OF TODD J. DRESSEL IN SUPPORT  
 OF MOTION TO SET STATUS CONFERENCE  
 HEARING REGARDING SUBMITTED MOTION FOR  
 RULE TO SHOW CAUSE WHY JUDGMENT  
 SHOULD NOT BE AMENDED TO ADD  
 RESPONDENTS AS JUDGMENT DEBTORS

Honorable Edward J. Davilla

Place: Robert F. Peckham Federal Building  
 280 South 1st Street  
 San Jose, CA 95113

1 Under 28 U.S.C §1746, I, Todd J. Dressel, declare as follows:

2 1. I am an attorney admitted to the Bar of the State of California. I am an attorney  
3 at the law firm of Chapman and Cutler LLP and counsel to Plaintiff Bank of Montreal, as  
4 Administrative Agent ("*BMO*" or the "*Agent*") in this matter. I submit this Declaration in  
5 support of the Agent's Motion (the "*Motion*") to Set Status Conference Hearing Regarding  
6 Motion for Rule to Show Cause Why Judgment Should Not Be Amended to Add Respondents  
7 as Judgment Debtors. I have personal knowledge of the facts set forth herein, and, if called to  
8 testify, could testify competently thereto.

9 2. On June 27, 2011, BMO filed the Show Cause Motion with this Court.  
10 Following an initial hearing on August 19, 2011, this Court order the parties to file  
11 supplemental pleadings related to the Show Cause Motion.

12 3. On September 26, 2011, this Court held a final hearing the Show Cause Motion.  
13 After hearing arguments of counsel, this Court took the Show Cause Motion under submission.  
14 No ruling has been issued by the Court.

15 4. On March 23, 2012, Respondent Frederick Scott Salyer pleaded guilty to one  
16 count of racketeering and one count of price fixing before the Honorable Lawrence K. Karlton  
17 in the United States District Court for the Eastern District of California (Case No. 10-cr-00061-  
18 LKK). A copy of the Plea Agreement dated March 23, 2012, is attached to the Motion as  
19 Exhibit A.

20 5. Recently counsel for the Respondents, the law firm of Farella Braun & Martell  
21 LLP, has filed motions to withdraw from its representation of the Respondents, as well as other  
22 related entities, in the vast majority of matters pending before the United States District and  
23 Bankruptcy Courts for the Eastern District of California. On April 17, 2012, I sent a letter to  
24 counsel for Respondents requesting a confirmation of whether or not they would continue to  
25 represent the Respondents in this matter. A copy of the April 17, 2012 Letter is attached to the  
26 Motion as Exhibit B. No response to the letter has been received.

27 DECLARATION OF TODD J. DRESSEL  
28 11-CV-80133 MISC - EJD (HRL)

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 26, 2012, in San Francisco, California.

Dated: April 26, 2012

*s/ Todd J. Dressel*

DECLARATION OF TODD J. DRESSEL  
11-CV-80133 MISC - EJD (HRL)